

Unto his Grace, His Majesties high Commissioners
and the Right Honourable the Estates of Parli-
ament.

The humble PETITION of
Mr. John Buchan Agent for the Royal Bur-
rows.

Sheweth,

That where I entered into a Contract with the Royal Burrows, in the year 1693, whereby for the Power and Commission which they granted to me, to cause put the Act of Parliament made in their favours the 14th of June, 1690, To Execution against unfree Traders, and to apply all the Fynes, Penalties and Casualties to my own use and behoofe, and to Communicate the benefite of Trade to Burghs of Regality and Barrony, and others, as I should think fit, I obliged my self to relieve the said Royal Burrows during the time of the said Contract of Ten Pounds of the Hundred Pound of the Taxt Rolls imposed upon the Royal Burrows by Act of Parliament, which Contract was by the Act of Parliament, 1693. Intituled *Act for the Communication of Trade*, Ratified and Approven, and farther, it was statute that sicklike Execution should pass against the Burghs of Regality and Barronie, and others, for inbringing of their Proportion for Relief of the Royal Burrows, which any of them should agree to, for the said Communication in the same manner as is usual against the Royal Burrows, for inbringing of the Cess payable by them; Likewise by the said Act, all Persons whatsoever, are strictly discharged to Exercise any kind of Trade, under the Penalties contained in the Acts of Parliament, except Burgeses, Indwellers in Royal Burghs, and these who pay their Proportion of the said Quota to be payed by the Burghs of Regality and Barrony, and other unfree Traders aforesaid.

In prosecution of which Contract and Act, I agreed with a few Burghs of Regality and Baronie that for the Communication of a free Trade, they should undertake their proportion of the said Ten pound, such as Greenock, Borrow Towness and Prestounpans, &c. Likewise there arising some Debate betwixt the Merchant-Traders and the Craftsmen in the said Burghs, the Lords of Session by their Decree in foro, Found, that the Craftsmen tho not Merchant-Traders should be lyable to be stented with the Merchant Traders of the said Burgh, seing they and their Children might have the benefit of the said Communication, sicklike as Craftsmen in Burrows Royal; but all my Diligence not proving successful to bring the Generality of the Unfree-traders in Burghs of Regality, Barony, and others, to an Agreement for what might be their just Proportions of the said Ten pound, tho both small and easie, I to facilitat the matter, did proportion the said Ten pound upon the several Shires of the Kingdom, for the Unfree-Traders within the same, observing this Rule after the Experience I had learned in this Affair, by much Trouble and vast Expences, that the Proportions were so ordered, so as the Unfree-Traders in all the several Shires did not pay the half of whar was payed by the Royal Burrows within the said Shire (Trade with Trade being compared) Which List of Proportions I likewise exhibited to the Lords of his Majesties Privy Council, who after having considered the same, did find it so reasonable, both for the Ten pound, and three pound ten shilling more, which they allowed me to add to it, for my Advance of Money, and great Charges and Expences, that they ordered a Proclamation to be emitted, appointing the Commissioners in the respective Shires to meet, in order to the

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treating with me and my Substitutes, how the said *Quota's* for the Shires might be subdivided upon the Burghs of *Kegality and Baronie*, and other *Unfree-Traders* within the same, but tho' I by my self and Substitutes did attend the Meeting of the said Commissioners, yet their Meeting and my Treating with them, by reason of little Questions moved by these *Unfree-Traders* proved successless; And that notwithstanding that I had obtained Decrees *in foro* before the Lords. *Finding.* 1. That all Retailers of forraign Commodities and Staple-goods, not Burgeses and Indwellers in Burghs Royal, were lyable as *Unfree-Traders*. And 2. That the pain of *Unfree-Traders* was *Escheat of Moveables*, and that the same fell to me by the fore-said Contract and Act of Communication; Which Difficulty proving thus insuperable, I was necessitate to lay the case before the Royal Burrows, who being satisfied that I had used all possible Diligence, both with the *Unfree-Traders* themselves, and likeways with the Commissioners of the respective Shires, and by recovering the fore-said Decrees before the Lords of Session, were willing to take my Contract off my hand for hereafter, but still leaving the Burden of Bygones upon me, which plainly is such a Burden as I am not able to bear, but will infallibly sink me and my small Fortune, if Remedy be not provided, seing then that the Grounds above laid down, do fully obviat all the Petitions offered against me, as particularly that from *Air Shire*, which complains of my making of their *Corns, Cattel and Malt* lyable, whereas I only charge the *Unfree-Traders* in forraign Commodities and Staple-Goods. & that from *Musleburgh* which directly complains of the Lords Decree *in foro* against themselves, without any Protest. And that of *Kelso* which only complains of *Exorbitancy* throw their own default, without any Reason, and so of the rest; And that I have truly payed in to the General Receiver what I crave to be relieved of, and that I am content this *Honourable Court of Parliament* appoint any Course that may be effectual for my fore-said most just Relief in a matter wherein I have acted most carefully and diligently by warrant of the fore-said Act of Communication; I shall only farther propose to your Grace and the *Honourable Estates of Parliament*, that the Method that appears most necessary and expedient for remeeding this Affair is, That there may be a Commission of Parliament to a few able and proper Persons to proportion and settle the fore-said Sub-division amongst the unfree Traders with power to Determine, and with sikelike Execution as is appointed for His Majesties Cels, which Method is humbly suggested to the *Parliaments* Choice with all Deference to their better Judgement for my relief as to bygones: And as for the time to come, I most humbly offer to give over my Contract, and that if this *High and Honourable Court of Parliament* shall think fit, the Condition of the *Royal Burrows* may return to the same State wherein it was before my said Contract, and the Act 1693, Ratifying the same.

May it therefore please your Grace, and the *High and Honourable Court of Parliament*, to take the Premises to your Consideration, and appoint such Methods and Remedies, as I may be Relieved and Reimbursed of the great Sums I have Advanced in manner fore-said; and that for time coming this Matter may be so ordered as maybe most easie for all Traders, and most Advantageous for the Common-Good of the Kingdom, And your Grace, and Lordships Petitioner shall ever pray &c.